

ORDINANCE NO. 2003- 008

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING ORDINANCE NO. 76-14, ENTITLED "PALM BEACH COUNTY UNINCORPORATED AREA MUNICIPAL SERVICE TAXING UNIT ORDINANCE," CODIFIED IN CHAPTER 26, DIVISION 2, UNINCORPORATED AREAS, SECTION 26-31 THROUGH 26-35, OF THE PALM BEACH COUNTY CODE; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, adopted Ordinance No. 76-14, codified in Chapter 26, Division 2, Unincorporated Areas, Section 26-31 through 26-35, of the Palm Beach County Code, creating the Palm Beach County Unincorporated Area Municipal Service Taxing Unit, a Countywide Municipal Service Taxing Unit that included the entire unincorporated area of Palm Beach County existing on January 1, 1977, and on January 1 of each year thereafter; and

WHEREAS, the Board of County Commissioners created by separate ordinances, five (5) Municipal Service Taxing Units (MSTU's) in the unincorporated area of Palm Beach County for the purpose of providing road and street improvements; and

WHEREAS, the ordinances creating the five (5) individual MSTU's were repealed and replaced with one ordinance which maintained the five (5) MSTU's and created a sixth (6) MSTU comprised of all the unincorporated area in the County; and

WHEREAS, this Ordinance replaced the MSTU Ordinance adopted in 1976 with a new Countywide MSTU Ordinance, but failed to repeal the 1976 Countywide MSTU Ordinance;

WHEREAS, it is appropriate that Ordinance No. 76-14 be repealed since it has been replaced with subsequent ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. REPEALER

Ordinance No. 76-14 is hereby repealed in its entirety.

1 **SECTION 2. SEVERABILITY**

2 If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason
3 held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the
4 remainder of this Ordinance.

5 **SECTION 3. INCLUSION IN THE CODE OF LAWS AND ORDINANCES**

6 The provisions of this Ordinance shall become and be made a part of the Code of Laws and
7 Ordinances of Palm Beach County, Florida. The sections of the Ordinance may be renumbered or
8 relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or
9 any other appropriate word.

10 **SECTION 4. EFFECTIVE DATE**

11 The provisions of this Ordinance shall become effective upon filing with the Department of
12 State.

13 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach
14 County, Florida, on the 25 day of February, 2003.

15 DOROTHY H. WILKEN, CLERK

16 PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

17 By: Linda C. Heckman

18 By: [Signature]



Chair

19 APPROVED AS TO FORM AND
20 LEGAL SUFFICIENCY

21 By: Malcolm R. [Signature]

22 Assistant County Attorney

23 **EFFECTIVE DATE:** Filed with the Department of State on the 7 day of
24 March, 2003.

2 STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on February 25, 2003.
DATED at West Palm Beach, FL on 3/31/13.
DOROTHY H. WILKEN, Clerk
By: [Signature] D.C.